

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

6 \* \* \*

7 U.S. BANK, N.A., et al.,

8 Plaintiff(s),

Case No. 2:17-CV-1890 JCM (NJK)

ORDER

9 v.

10 TERRAFIRMA VENTURE LLC, et al.,

11 Defendant(s).

12  
13 Presently before the court is defendant Terraforma Venture, LLC's motion for demand for  
14 security of costs. (ECF No. 8). Defendant asks that the court order plaintiff U.S. Bank, N.A. to  
15 file security of costs in the amount of \$500.00 in favor of the defendant pursuant to NRS 18.130(1)  
16 because plaintiff is a non-resident of Nevada.

17 The Ninth Circuit recognizes that "federal district courts have inherent power to require  
18 plaintiffs to post security for costs." *Simulnet E. Assocs. v. Ramada Hotel Operating Co.*, 37 F.3d  
19 573, 574 (9th Cir. 1994). A federal district court typically follows the forum state's practice  
20 regarding security of costs, particularly when a party is a non-resident. *See, e.g.*, 10 Charles Alan  
21 Wright & Arthur R. Miller, Federal Practice and Procedure § 2671 (3d ed. 1998). Section 18.130  
22 of the Nevada Revised Statutes provides that the court may require an out-of-state plaintiff to post  
23 a security for costs in an amount up to \$500.00 upon request by a defendant. Nev. Rev. Stat. §  
24 18.130.


25 This court finds it appropriate to order security of costs in this matter.

26 Accordingly,

27 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant's motion for  
28 demand for security of costs (ECF Nos. 8) be, and the same hereby are, GRANTED.

1 IT IS FURTHER ORDERED that plaintiff shall post security in the amount of \$500.00  
2 within fourteen (14) days of the entry of this order.

3 DATED October 24, 2017.

4   
5 UNITED STATES DISTRICT JUDGE  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28